

ORDINANCE NO. 1067

ORDINANCE REPEALING CHAPTER 4 OF THE CODE OF THE CITY OF LODI AND RE-ENACTING SAID CHAPTER 4 TO BE ENTITLED "BICYCLES - LICENSING REQUIRED".

Be it ordained by the City of Lodi as follows:

Section 1. Chapter 4, being Sections 4-1 to 4-12, inclusive, of the Code of the City of Lodi is hereby repealed.

Section 2. There is hereby enacted a new Chapter 4 to the Code of the City of Lodi to be entitled "Bicycles - Licensing Thereof", to read in full as hereinafter set forth.

Section 3. "Bicycle" for the purpose of this Chapter means any device upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears having either two or three wheels (one of which is at least 20 inches in diameter, in tandem or tricycle arrangement) or having a frame size of at least 14 inches.

Section 4. (a) It shall be unlawful for any person to operate or use a bicycle upon any street, road, alley, highway, or other public property within the City of Lodi without first having obtained from the Police Department a license and registration certificate therefor in accordance with the provisions of this Chapter.

(b) A copy of the registration form obtained from the Police Department shall be issued to the owner by the City.

Section 5. (a) The Police Department is hereby authorized and directed to issue, upon written application, bicycle license indicia which shall be effective from and after the date when issued for a period of three years thereafter. Such licenses, when issued, shall

entitle the licensee to operate such bicycle for which the license has been issued upon all streets, alleys and public highways, exclusive of the sidewalks thereof, in the City.

(b) Licenses shall be renewed on January 1 of the third year following the year of registration to begin January 1, 1979. Renewal of a bicycle registration shall be indicated by a supplementary adhesive device affixed parallel to and above or below the indicia with expiration date shown.

Section 6. The fees required to be paid pursuant to the provisions of this Chapter are:

(a) The City shall obtain the license indicia and registration form from the Department of Motor Vehicles of the State of California and shall issue such indicia to each applicant for a fee of \$2.00.

(b) For each transfer of registration certificate, the sum of \$1.00.

(c) For each replacement of a bicycle license or registration certificate, the sum of \$1.00.

(d) For each bicycle license renewal, the sum of \$1.00.

Section 7. (a) Whenever any person sells or otherwise disposes of a bicycle, he shall endorse upon the registration certificate previously issued for such bicycle a written transfer of same, setting forth the name, address, telephone number of the transferee, date of transfer, and signature of the transferrer, and shall deliver the registration certificate, so endorsed, to the licensing agency within 10 days.

(b) Any person who purchases or otherwise acquires possession of a bicycle shall, within 10 days of taking possession, apply for the transfer of license to his own name.

Section 8. Whenever the owner of a bicycle licensed pursuant to this Chapter changes his address, he shall within 10 days notify the Police Department of the old and new address.

Section 9. In the event that any bicycle license indicia or registration form issued pursuant to the provisions of this Chapter is lost, stolen, or mutilated, the licensee of such bicycle shall immediately notify the Police Department, and, within 10 days after such notification, shall apply to the Police Department for a duplicate license indicia or registration form. Thereupon, the Police Department shall issue to such licensee a replacement indicia or registration form upon payment to the Police Department the appropriate fee.

Section 10. The Police Department shall have the right to impound and retain possession of any bicycle in violation of the provisions of this Chapter, and may retain possession of such bicycle until the provisions of this Chapter are complied with. In addition, a fine may be levied for any violation of this Chapter, not to exceed \$5.00 for each violation.

Section 11. All bicycle licenses heretofore issued by the City prior to the effective date of this Ordinance shall continue to be valid until January 1, 1979 at which time said license shall no longer be effective and the license indicia required by this Chapter shall be required.

Section 12. The Police Department may, by written or oral test, examine any or all applicants for satisfactory knowledge of bicycle safety laws, and may withhold the issuance of a license from any applicant failing to pass such tests.

Section 13. Any bicycle, tricycle or other device moved by human power, placed, left or deposited on any portion of a public sidewalk is hereby declared a public nuisance. Authority is hereby given to the Police Department to remove such bicycle or similar vehicle and to take it to police headquarters and there to impound it.

Any person committing such nuisance may be punished by a fine of not more than two dollars and fifty cents and the bicycle or similar vehicle, may not be released until such fine be paid. Such bicycle or similar vehicle may also be released upon the depositing with the clerk of the court bail in the amount of two dollars and fifty cents. Such bail, upon good cause shown, may be returned by the clerk upon the recommendation of the Chief of Police.

Section 14. The fine for the violation of any of the provisions of this Chapter shall not exceed five dollars.

Approved this 10th day of December 1975


BEN SCHAFER
Mayor

Attest: 
City Clerk

State of California
County of San Joaquin, ss.


I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1067 was introduced at a regular meeting of the City Council of the City of Lodi held November 19, 1975 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held December 10, 1975 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katnich,
Pinkerton, and Schaffer

Noes: Councilmen - None

Absent: Councilmen - None

I further certify that Ordinance No. 1067 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk